

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Steven Charles McDonnell
and Amy Joy McDonnell,

Bankruptcy No. 06-60464

Debtors.

Eugene Paulson,

Civil No. 07-2414 (PAM)

Appellant,

v.

ORDER

Cenbank,

Appellee.

This matter is before the Court on Appellant Eugene Paulson's request that the Court consider his untimely response to Appellee Cenbank's Motion to Dismiss. Because Appellant is proceeding pro se, the Court will consider the response. Nonetheless, the response does not alter the analysis as set forth in the Court's July 18, 2007 Order, which granted the Motion to Dismiss.

Federal Rule of Bankruptcy Procedure 8002 requires that a notice of appeal be filed with the clerk of bankruptcy court clerk within ten days of the entry of an order. Fed. R. Bank. P. 8002(a). "Failure to file a timely notice of appeal from a bankruptcy court's order deprives the district court of jurisdiction to review that order." Veltman v. Whetzal, 93 F.3d 517, 520-21 (8th Cir. 1996) (citation omitted).

In this case, the order dismissing the bankruptcy action was entered on March 30,

2007. Appellant did not file his appeal until April 16, 2007. Because his appeal was untimely, dismissal of this action was proper.

Dated: July 30, 2007

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge